

**DECLARATION, PETITION
AND
POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**APPARATUS AND METHODS FOR ANCHORING AUTOLOGOUS
OR ARTIFICIAL TENDON GRAFTS IN BONE**

the specification of which
(check one)

 X is attached hereto
 X filed on November 21, 1997
as Application Serial No. 08/976,257
 or Express Mail No.
and was amended on
(if applicable)

I do not know and do not believe that the subject matter of this application was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject of an issued inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months prior to the date of this application; that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application, that no application for patent or inventor's certificate on the subject matter of this application has been filed by me or my representatives or assigns in any country foreign to the United States, except those identified below, and that I have reviewed and understand the contents of the specification, including the claims as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

Check one:

☐ no such applications have been filed.

☐ such applications have been filed as follows

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Country	Application Number	Date of Filing (month,day,year)	Priority Claimed Under 35 USC 119
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application. As to subject matter of this application which is common to my earlier United States application, if any, described below, I do not believe that the same was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to said earlier application, or in public use or on sale in the United States more than one year prior to said earlier application, that the said common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States on an application, filed by me or my legal representatives or assigns more than twelve months prior to said application and that no application for patent or inventor's certificate on said subject matter has been filed by me or my representatives or assigns in any country foreign to the United States except those identified herein.

	(Filed)	(patented, pending, abandoned)
U.S. Application 08/754,566	11/21/96	PENDING
U.S. Application 08/887,580	7/3/97	PENDING

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

David J. Powsner	Reg. No. 31,868
Sam Pasternack	Reg. No. 29,576
Mary Rose Scozzafava	Reg. No. 36,268
Brenda H. Jarrell	Reg. No. 39,223
Mary Raynor Jimenez	Reg. No. 37,219

Send Correspondence to:

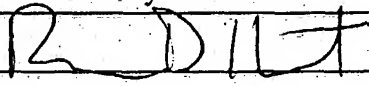
CHOATE, HALL & STEWART, Exchange Place, 53 State Street, Boston, MA 02109-2891

Direct Telephone Calls to: (name and telephone number)

David J. Powsner, Esq., Tel.: (617) 248-4030

Wherefore I petition that letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor	Rickey D. Hart
Inventor's signature	x 
Date	x 2/6/98
Residence of first inventor	11 Hillside Road, Plainville, Massachusetts
Citizenship	U.S.
Post Office address (if different)	same

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

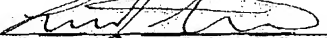
Serial Nos.: 08/976,257 Filed: November 21, 1997
09/086,508 Filed: May 28, 1998
09/371,411 Filed: August 10, 1999
10/004,398 Filed: October 23, 2001

Atty. Docket Nos.: 22956-134, 22956-114, 22956-141, 22956-153

Certificate of Mailing (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service Post Office as first-class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

Aug. 12, 2002
Date of Signature and Mail Deposit

By: 
Lisa J. Michaud, Reg. No: 44,238
Attorney for Applicant

Commissioner for Patents
Washington, D.C. 20231

**REVOCATION OF PRIOR POWERS OF ATTORNEY
AND APPOINTMENT OF NEW POWER OF ATTORNEY**

Dear Sir:

Ethicon, Inc. (a Johnson & Johnson Company), the owner of the entire right, title and interest in the above-identified patent application by way of a merger of Innovasive Devices, Inc. into Ethicon, Inc. (see attached copy of Certificate of Merger), hereby revokes all previous Powers of Attorney heretofore granted with respect to the above-referenced applications and appoints the below-listed attorneys/agents with full power of substitution and revocation to prosecute this application and to transact all business in the Patent Office connected therewith:

William C. Geary III	Reg. No. 31,359
Ronald E. Cahill	Reg. No. 38,403
Thomas J. Engellenner	Reg. No. 28,711
Reza Mollaaghababa	Reg. No. 43,810
Lisa Michaud	Reg. No. 44,238
David J. Powsner	Reg. No. 31,868
Tram Anh T. Nguyen	Reg. No. 47,257
Jasbir Sagoo	Reg. No. P51177
Geoffrey S. Smith	Reg. No. P-52,231
David Nielson	Reg. No. P-52,069

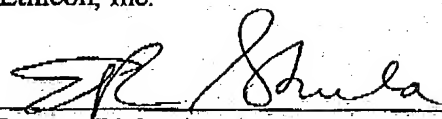
all of Nutter, McClennen & Fish, LLP, One International Place, Boston, Massachusetts 02110, United States of America, Customer Service Number 021125, and send correspondence to:

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Ethicon, Inc.

Aug 12, 2002
Dated:


By: E. Richard Skula
Title: Assistant Secretary, Ethicon, Inc.
Route 22 West
Somerville, NJ 08876

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